

Rule Development Timeline

WAC # _____ Title: _____

Action	Target Date
Planning Phase	
RAD-SMT Briefing	
RDP-Signed by Agency Rules Coordinator	
PIO-Pre CR-101 meeting (4 weeks prior to filing CR-101)	
SEPA Preliminary Threshold Determination	
CR-101 Filed (DS/Scoping Notice filed in SEPA register, if required)	
Drafting/Proposal Phase	
Workshops (if needed)	
PIO-Pre CR-102 meeting (4 weeks prior to filing CR-102)	
Draft Rule to OTS (3 weeks prior to CR-102 filing)	
CR-102 Filed (SBEIS, Draft DEIS/DNS, preliminary CBA if required)	
CR-102 Published	
Public Comment Phase	
First Hearing Date	
Last Hearing Date	
Close of Comment Period (7 days after last Hearing)	
Adoption Phase	
PIO-Pre CR-103 meeting (4 weeks prior to filing CR-103)	
Final Rule to OTS (3 weeks prior to filing CR-103)	
Release FEIS (7 days prior to adoption, if required)	
Intended Date of Adoption	
Adoption Date	
CR-103 Filed (Implementation Plan, CES, C/B Analysis, Rulemaking Criteria Documentation, if required)	
180 day cut-off for filing your CR-103	
Effective Date	
Implementation Phase	
Submit Rule File to the Rule's Unit (2 weeks after Adoption)	

Rule-making Checklist

WAC # : _____ Title: _____

Planning Phase	Who	Done
Meet with the Agency Rules Coordinator for assistance with the Rule Authorization Document (RAD) and to discuss the rule development process.		
Decide if we need to brief SMT.		
Contact the Director's Secretary to schedule Senior Management Team (SMT) presentation for RAD		
Begin RAD for SMT briefing		
Submit RAD to the Director's Secretary, in electronic format, for distribution to SMT AT LEAST 2 days prior to the briefing		
If SMT approves rule making, meet with the Agency Rules Coordinator or Rules Development Specialist to prepare timeline		
Begin the Rule Development Plan (RDP)		
Consult with the: <ul style="list-style-type: none"> Rules Unit Web Coordinator to discuss electronic notification of rule making Economist to discuss need for Small Business Economic Impact Statement (SBEIS) and Cost Benefit Analysis (CBA) Program Public Information Officer (PIO) or Environmental Outreach Specialist (EEOS) to discuss public involvement/hearing strategy. SEPA Coordinator to determine if you must complete an Environmental Checklist Tribal Liaison Sustainability Coordinator Environmental Justice Coordinator 		
Schedule a meeting with the Rules Unit to discuss your RDP draft		
Submit RDP with timeline to the Agency Rules Coordinator for completeness review		
Finalize the RDP and timeline. (You need your Program Manager, PIO/EEOS, and the Agency Rules Coordinator signature.)		
EPMT Briefing: (It is the Program Manager's responsibility to determine if the Deputy Director and EPMT need to be briefed on the rule prior to filing your CR-101.) If this is necessary contact the Rules Development Specialist to schedule your presentation at an EPMT meeting.		
Complete the SEPA Environmental Checklist if appropriate (The Program Manager uses this when making the threshold determination)		
Make SEPA Preliminary Threshold Determination		
Prepare Preproposal Statement of Inquiry (CR-101) Filing Packet <ul style="list-style-type: none"> CR-101 Cover Memo CR-101 Form (original plus 6 copies) RDP and Timeline DS/Scoping (filed in the SEPA register, if required) 		

Submit the CR-101 filing packet to the Agency Rules Coordinator for completeness review, PRIOR to signature by Program Manager (1 week before filing)		
Submit the CR-101 filing packet to the Program Manager for signature.		
Submit the CR-101 Filing Packet to the Agency Rules Coordinator for filing.		
Agency Rules Coordinator files CR-101 for publication in Washington State Register.		
Rule Writer files Scoping Notice for publication in the SEPA Register. (There is a 14-30 day public review of this document.)		
Send CR-101 Word document and any attachments to the Rules Unit Web Coordinator for posting on the Laws and Rules Website.		
Rules Unit Web Coordinator posts the CR-101 and attachments on the Laws and Rules Website and sends a WACTrack notice.		
Rule Writer sends appropriate notices to interested party list. (Within 2 weeks of filing):		
<ul style="list-style-type: none"> • CR-101 form • SEPA Scoping Notice • Any other information the program determines appropriate 		
Drafting/Proposal Phase	Completed	
Form Advisory Committees if desired		
Begin advisory Committee Meetings/Workshops etc.		
Begin writing draft rule language.		
<ul style="list-style-type: none"> • Don't forget about clarity and consistency of your rule language. (The Rules Unit is available for editing.) 		
Begin DRAFT of Implementation Plan		
Update Timeline and Submit to the Agency Rules Coordinator (Meet with Rules Development Specialist to update timeline if necessary)		
Write Draft Environmental Impact Statement (DEIS) or Draft Non-Significance (DNS)		
Continue contact with the Economist to ensure completion of the SBEIS		
Contact your PIO/EEOS 6 weeks prior to filing your CR-102		
Begin preparation for public hearings (6-8 weeks prior to filing CR-102):		
<ul style="list-style-type: none"> • Obtain hearing officer • Determine locations and times (remember to check for ADA compliance) 		
Schedule briefing (if appropriate) and signature with Deputy Director		
(AT LEAST 2 weeks prior to filing) Submit the DRAFT rule language to OTS. Request an electronic copy, from OTS, that you will send to the Rules Unit Web Coordinator.		
Pick up the buff copy, and the electronic copy, of rule language from OTS. (Don't forget it is your responsibility to proofread the strikeouts and underlined text.)		
Pick up SBEIS, or narrative to explain why a SBEIS is not required, from Economist.		
Prepare CR-102 Filing Packet		
<ul style="list-style-type: none"> • CR-102 cover memo 		

<ul style="list-style-type: none"> • CR-102 form (original plus 6 copies) • OTS buff colored original plus 6 copies • SBEIS Summary • DEIS or DNS 		
Submit the CR-102 packet to the Agency Rules Coordinator for completeness review. (This is required prior to the Program Manager approval and the deputy Director briefing for signature.)		
Brief the Deputy Director (if necessary) and get signature on the CR-102		
Submit the CR-102 packet to the Agency Rules Coordinator for filing		
Submit an electronic version of the CR-102 WORD file, OTS draft rule language and any attachments to the Rules Unit Web Coordinator for posting on the Laws and Rules Website		
The Agency Rules Coordinator files the CR-102 for WSR publication. (This must be at least 30 days after the publication of the CR-101.)		
Rule Writer files the DEIS/DNS for publication in the SEPA register		
Rules Unit sends copies of CR-102 to Joint Administrative Rule Review Committee (JARRC) upon filing.		
Rules Unit Web Coordinator posts CR-102, draft rule language and attachments on the Laws and Rules Website and sends WACTrack notice		
Rule Writer sends appropriate notices to interested party list. (Within 3 days of publication) <ul style="list-style-type: none"> • CR-102 with rule text • DEIS/DNS • SBEIS • Other related documents 		
The CR-102 and proposed rule text is published in the Register		
The last day you can file your CR-103 is a maximum of 180 days after publication of your CR-102.		
Public Comment Phase	Completed	
Complete preparation for public hearing presentation & announcement materials. Prepare material for public comment on the rule proposal and SEPA documents. Your program PIO/EEOS should help you with this.		
First hearing		
Last hearing		
Identify written comment period cutoff for proposed rule and SEPA document		
Hearing Officer prepares Hearing Summary Memo and e-mails it to the Director		
Begin drafting the Concise Explanatory Statement (CES)		

Adoption Phase	Complete	
Prepare Final EIS/DNS (IF a draft EIS/DNS was prepared)		
Complete Cost Benefit Analysis		
Complete Concise Explanatory Statement		
Complete Rulemaking Criteria Documentation Paper		
Complete Implementation Plan		
Submit Final Rule Language to OTS for buff copy for CR-103 filing. At this time request an electronic version of the rule version from OTS. (At least 2 weeks prior to filing your CR-103)		
Meet with your PIO/EEOS (2 weeks prior to filing your CR-103)		
Submit Final EIS/DNS for publication in the SEPA register (7 days PRIOR to filing the CR-103)		
Pick up final rule language, and electronic copy, from OTS (Don't forget that it is your responsibility to proofread all strikeouts and underlined text.)		
Schedule Rule Making Briefing and signature of CR-103 with the Director. (Programs are responsible for determining if the Director will need to be briefed on the rule along with requesting a signature for adoption. If a briefing is not necessary, determine the Director's availability for signature.		
Prepare CR-103 Rule Making Packet <ul style="list-style-type: none"> • CR-103 Form (original plus 6 copies) • CR-103 cover memo • OTS buff colored original rule language plus 6 copies • Concise Explanatory Statement (CES) • Implementation Plan • Rule-making criteria documentation • Final EIS or NS • C/B analysis 		
Submit the CR-103 filing packet to the Agency Rules Coordinator for completeness review. (This is REQUIRED PRIOR to the Program Manager approval and the Director for signature.		
Brief the Director, if necessary, and have the Director sign your CR-103		
The Director Signs the Rule. It is now adopted.		
Submit the CR-103 packet to the Agency Rules Coordinator for filing		
Submit an electronic version of the CR-103 WORD file, final rule language from OTS and any attachments to Rules Unit Web Coordinator for posting on the Laws and Rules Website.		
The Agency Rules Coordinator files the CR-103 with the Code Reviser		
180 day cut-off for filing your CR-103		
Rule is effective 31 days after filing your CR-103 unless otherwise specified		
Rules Unit Web Coordinator posts CR-103 and attachments on the Laws and Rules Website and sends WACTrack notice		

Rule Writer sends appropriate notices to interested party lists: <ul style="list-style-type: none"> • CR-103 and rule text • Final EIS/NS • CES • Other related documents 		
Implementation Phase	Completed	
Submit the Rules File to the Rules Unit (within 2 weeks of filing your CR-103)		
Request codified rule text from Rules Development Specialist (Codified rule text is not available until 1 month after publication in the WSR.		
Distribute copies of the rule to Judy Hanson in Records.		
Distribute copies of the rule to interested parties		
Begin to train staff. Refer to implementation plan.		